



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ELHADJI OUSMANE TOUNKARA

Plaintiff,

- against -

REPUBLIC OF SENEGAL, et al.,

Defendants.  
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21-CV-8027 (LAK) (RWL)

**ORDER**

**ROBERT W. LEHRBURGER, United States Magistrate Judge.**

On March 29, 2023, the Court issued a decision dismissing the case as to Defendants Republic of Senegal and Permanent Mission of Senegal to the United Nations. With respect to Defendant Ndiaye, the Court gave the parties an opportunity to submit further evidence or argument concerning whether the Court has subject matter jurisdiction pursuant to (1) 28 USC § 1351, and particularly whether Ndiaye wishes to submit evidence as to diplomatic immunity, and/or (2) 28 USC § 1332, and particularly with respect to whether Plaintiff and Ndiaye meet the non-monetary requirements for diversity of citizenship. The Court further directed that any such argument or evidence be considered by me in the first instance. Accordingly, no later than **April 10, 2023**, Plaintiff and Ndiaye shall each file any such evidence they wish to submit addressing both issues, along with a letter brief of no more than 5 pages addressing both issues. No later than **April 17, 2023**, Plaintiff and Ndiaye each shall file a response, if any, to the other party's initial submission of no more than 3 pages.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', written over a horizontal line.

ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

Dated: March 30, 2023  
New York, New York

Copies transmitted this date to all counsel of record.